



RULES AND REGULATIONS

VEHICLE MOUNTED AUDIO/VIDEO RECORDING

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PURPOSE: The In-Car Camera System has been used to accurately capture statements and events during the course of an incident or investigation. These recordings enhance an officer's ability to review and document statements and actions for police documentation. It also provides an accurate depiction of events for courtroom presentations and provides an impartial measurement for self-critique and evaluation for training purposes. To maximize the usefulness of this equipment in these and other related areas, members shall be required to follow the procedures as set forth in this policy.

I. OBJECTIVES

The Department has adopted the use of an In-Car Camera System in order to accomplish objectives including, but not limited to, the following:

- A. Provide a record of events, actions, situational conditions and statements made during incidents, arrests, and critical events. This equipment is designed to enhance officer reporting, professionalism, integrity, collection of evidence, field evaluation, and testimony in court.
- B. Enhance the Department's ability to review probable cause for arrest, arrest procedure, officer and suspect interaction, evidence for investigative purposes, and member evaluation and/or training.

This directive does not apply to surveillance equipment covertly installed for the purposes of monitoring and capturing video evidence of illegal activities.

II. DEFINITIONS

- A. In-Car Camera VMDT (video mobile data terminal) System: An installed mobile computer with the capability of capturing audio and/or video signals or files to enhance patrol activities and traffic enforcement.
- B. In-Car Camera Server: System for storage of digital media of an evidentiary nature.
- C. Microphone: A device that transfers voice data information to the recording, which officers will pass on to the next shift upon relief.
- D. Recording: Capturing audio and /or video digital data in the In-Car Camera System.

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Plaintiff Exhibit No. 3





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E. Media: For the In-Car Camera System purposes refer to the removable hard drive.

F. Critical Incidents: For this purpose, critical incidents will be defined as the following occurrences:

- Officer Involved Shootings
- Police Vehicle Pursuits
- Police Vehicle Collisions

III. PROCEDURES

A. Installation of In-Car Camera equipment:

Departmentally owned In-Car Camera equipment is the only authorized VMDT equipment to be used by the Birmingham Police Department. All In-Car Camera VMDT equipment shall only be installed by technicians authorized by the Birmingham Police Department.

1. All In-Car Camera equipment shall be installed and maintained according to the manufacturer's recommendations.
2. The In-Car Camera System shall be installed so that activation of the vehicle's emergency warning equipment will automatically activate the recording equipment.
3. The In-Car Camera System will not be removed or disconnected by anyone except an authorized technician.

B. Department members shall adhere to the following operational procedures when utilizing In-Car Camera equipment:

1. Equipment installed in a vehicle is the responsibility of the employee assigned to that vehicle and will be maintained according to the manufacturer's recommendations.
2. It shall be the responsibility of the designated trained supervisor to check the In-Car Camera equipment weekly to ensure that such equipment is operating properly.
3. When trained personnel are in the process of using In-Car Camera equipment, personnel will ensure that:

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- a. Both of the video cameras are properly adjusted and positioned to record event (s).
- b. The equipment is not deactivated until the enforcement action and /or contact is completed.
- c. The wireless microphone is activated to provide an audio recording in conjunction with the video recording.
- d. The vehicle's engine will be kept running while the recorder is activated.
- e. It will be necessary that members have two (2) vehicle keys and/or vehicle fobs available at all times while operating a In-Car Camera equipped vehicle to ensure their ability to secure the vehicle while leaving the engine running during times when the recorder is activated.

Note: Inspections will provide sufficient keys/vehicle fobs to each precinct for each In-Car Camera equipped vehicle to ensure that each shift has access to two keys for each vehicle. It will be the responsibility of the Precinct Commander and his Command Staff to ensure that the keys are maintained and distributed in a manner as to ensure accountability and availability of the keys.

- 4. The In-Car Camera equipment will be utilized on every traffic stop and will automatically activate on application of the vehicle's emergency lights. In-Car Camera equipment will not be deactivated until all enforcement action is complete.
- 5. Department members shall utilize In-Car Camera equipment to record:
 - a. The field interview, sobriety tests (when practical and /or safe to do so), and arrest of defendants. This including transportation to the jail when defendant displays unruly or disorderly behavior.
 - b. Anytime an unruly and /or disorderly suspect is placed in the back seat of the police vehicle.
 - d. Any other time the officer believes that information of evidentiary value could be documented and used for court and /or department purposes.
- 6. The In-Car Camera equipment may be manually deactivated during activities when the emergency lights are necessary but there is no need to continue the recording. These situations may include, but are not

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limited to accident scenes and the need to direct traffic or move a disabled or abandoned vehicle. Prior to the deactivation of In-Car Camera System the officer will verbally document on the tape the reasons for system deactivation.

NOTE: The In-Car Camera has two (2) cameras. Each camera, once powered on, must be manually and separately powered off.

7. Employees shall note in any offense, arrest or other related reports when audio/video recordings were made during the incident in question by writing, "VIDEO AND AUDIO RECORDINGS MADE WITH VMDT." This notation will be placed at the top of the narrative section before the text of the narrative.
8. Personnel not trained in the proper use and operation of the In-Car Camera System will not be granted full access privileges within the In Car Camera System. All untrained personnel will attend training during the first training session available after assignment requiring access.

IV. IN-CAR CAMERA SYSTEM CONTROL AND MANAGEMENT

- A. All storage drives will be secured at all times.
- B. Only designated department technology members will have access to the keys required for removal of the storage drives and access to replacement drives.
- C. Any supervisor may authorize/request a digital download containing the data of an incident be burned. Video downloads are available via the technology central repository.
- D. When a copy is authorized to be released will use the "Video Export" and will ensure a full integrity check is run. Critical incidents recording will be locked and accessed only by the investigation case agent, Internal Affairs, or designee of the Chief of Police.
- E. **All In-Car Camera System video and audio data is the property of the Birmingham Police Department.** Except as provided by this or other department regulation, directive, or order; and as required by law, copies or reproductions of any data, complete or in part, will not be made internally or



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provided to any outside entity except under the expressed authority of the Chief of Police.

This also applies to original video/audio recordings made by personally owned equipment such as digital voice recorders, cell phones, video cameras or still cameras or reproductions of video/audio recordings originally made by Birmingham Police Department equipment and re-created/copied through the use of the aforementioned personally owned equipment.

V. OFFICER INSPECTION RESPONSIBILITIES

- A. All users are required to access the system using their own username and password. All users will log in at the beginning of their tour of duty and will log out at the end of their tour.
- B. At the beginning of each shift, and before accepting responsibility for the vehicle from the preceding shift, trained users of the In-Car Camera System will inspect the In-Car Camera equipment in their assigned vehicle to ensure all components are present and in operational condition. This inspection will include but not be limited to:
 - 1. Remote Audio Transmitter
 - 2. Camera(s)
 - 3. Recorder
 - 4. Monitor
- C. Trained users will log on to the In-Car Camera System and perform the daily functions check. To begin the functions check, the following procedure will be used:
 - 1. Remote Audio Transmitter (Body Microphone)
 - a. Check for adequate battery power level. The indicator light on top of the transmitter unit should glow with a steady green light. If the light repeatedly flashes without stopping, turns yellow, or the transmitter produces repeated beeping sounds, the battery must be replaced with a fully charged unit.
 - b. Test device to ensure synchronization with the recorder
 - c. Test the device to activate the recorder remotely.

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2. Camera(s)

- a. Inspect the lens for damage or debris. If damaged, immediately notify a supervisor.
- b. Ensure the vehicle windshield is clean and free of debris
- c. Ensure the camera is positioned in the proper direction to record appropriately.

3. Recorder

- a. Manually activate the recorder using both the remote audio transmitter and the manual switch on the device inside the vehicle
- b. Activate the overhead emergency lights and ensure the automatic trigger functions properly.

During each of the activations, the officer will speak to activate the audio signals. Note: activation of the recorder will provide several seconds of recorded video and audio signals to include one-minute of pre-event data. Officers will play back the video and audio signals to ensure the system is functioning properly.

NOTE: To check pre-event data, the system must be in operation for at least one minute.

4. Monitor

- a. Before powering the monitor on, inspect the screen for damage or debris
- b. Turn the power on and ensure all aspects of the video monitor are operational.

If any component of the system is missing, damaged, or in any way not operational, officers will notify a supervisor immediately to prevent accepting responsibility for the malfunctioning equipment. Any unreported damage or missing equipment not reported prior to acceptance of a vehicle becomes the responsibility of the accepting officer and in instances where negligence or misuse of the equipment is found to have caused the loss and /or damage, financial remuneration by the officer will result.

NOTE: While it is required by this procedure that systems log on, inspection and functions check be performed immediately at the beginning of a shift or tour of duty it is understood that this is not always possible. In the event that due to a Priority Call or other Emergency Situation an officer is unable to perform these functions immediately at the beginning of their shift or tour of duty it will be necessary for the officer to perform the functions as soon as practical and make a notation on the

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Daily Activity Sheet documenting the time the function was completed. In this case it will be imperative that any damaged, missing or malfunctioning equipment be reported immediately upon its' discovery.

- D. Personnel not trained in the proper use and operation of the In-Car Camera System will not have full access privileges in the In-Car Camera System. The video and audio recording components will be accessible to all users with a valid log-on identification and password. No trained officer will allow any untrained person to operate the In-Car Camera System.
- E. Officers will not attempt to troubleshoot, repair, or modify any component of the In Car Camera System. Tampering with any component of the In-Car Camera System for any reason will be grounds for disciplinary action in the form of suspension or dismissal.

VI. SUPERVISORY RESPONSIBILITIES

- A. Supervisors who manage personnel trained to use the In-Car Camera System will ensure all personnel follow established procedures for the use and maintenance of In-Car Camera equipment, handling of video and audio data, and the completion of required system documentation.
- B. Supervisors will periodically and randomly review recorded data to assist in assessing users' performance, to determine whether the In-Car Camera System is being fully and properly utilized, and to identify material for beneficial training purposes.
- C. Supervisors will document all incidents of damage to any component of the In Car Camera System and report the damage to the Technology Unit who will investigate to determine if negligence and/or misuse were a factor. The Technology Unit will arrange for repairs of any In-Car Camera equipment and report the findings to the Chief of Police. Refer to Procedure 106-2, Procedure for Administrative Reports, Section I-B, Lost, Stolen or Damaged Non-Vehicle Property for instructions.
- D. Supervisors will ensure an adequate supply of Inkjet writeable DVD-R discs is available for the requirements of their respective units.
- E. A trained technology member shall respond to each incident classified as a Critical Incident previously in section II, Definitions, and replace the Removable Hard Drive with an un-recorded drive. This replacement must be completed as soon as practical after all enforcement action has ceased and before the police vehicle is moved from the scene.

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- F. Technology member removing hard drives in response to a “Critical Incident” or other incident where in the supervisor’s determination there may be critical information on the hard drive that needs protecting shall review the contents of the hard drive as soon as practical and prior to completing any required paperwork on the incident in question.
- G. Technology members will complete regular audits on the systems’ servers. All request for video footage will be documented by the system and will detail the following information:
 - 1. Vehicle number assigned
 - 2. Officer name and employee number receiving the media
 - 3. Officer submitting the media
 - 4. Date and time media submitted for download
- H. Supervisors will conduct a weekly 100 percent inventory of all In-Car Camera equipment assigned to their unit and note the inventory on the Supervisor Daily Activity Report
- I. On a monthly basis, a Command Officer (lieutenant or captain) will audit the Supervisor Activity Reports for accuracy to ensure accountability is being maintained.
- J. Supervisors will ensure any malfunctioning equipment is reported to the Technology Unit and the vehicle with the equipment is made available immediately for repair by authorized personnel.

Patrick D. Smith, Chief of Police